



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,541	10/26/2001	Gerald N. King	0267-001-1436CON	3566

7590

08/21/2003

Paul J. Sutton, Esq.  
Barry G. Magidoff, Esq.  
GREENBERG TRAURIG, LLP  
885 Third Ave.  
New York, NY 10022

EXAMINER

NGUYEN, SON V


ART UNIT

PAPER NUMBER

2839

DATE MAILED: 08/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. <b>10/045,541</b>	Applicant(s) <b>King</b>	
	Examiner <b>Son Nguyen</b>	Art Unit <b>2839</b>	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on Jul 14, 2003.

2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) 36-55 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 36-55 is/are rejected.

7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
       Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
       If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
       a) ☐ All b) ☐ Some\* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
       a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____	6) <input type="checkbox"/> Other:

## **DETAILED ACTION**

### ***Request for Continued Examination***

1. The request filed on 7/14/2003 for a Request for Continued Examination (RCE) based on the application No. 10/045,541 is acceptable and a RCE has been established. An action on the RCE follows.

### ***Claim Objections***

2. Claims 36-55 are objected to because of the following informalities:

In claim 1, line 10, it is unclear whether applicant intended by "a removable electrical device" to be the same as "a device" in line 3; applicant also clarify what applicant intended by "a removable electrical device adapted to nestle within the receiving channel of the base unit." Does applicant intend a bottom of the device or entire device adapted to nestle within the receiving channel of the base unit.

Claims 43 and 49 have a similar objection as objected in the claim 1.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2839

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 36-39, 41, 43-46, 48-52 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Castellano (US 3,609,647) in view of Osterbrock et al. (US 5,637,000).

Castellano discloses a modular electrical component [figure 1] comprising:

- a base unit [30] having a plurality prongs comprise of first terminal members [80, figure 2] and a plurality of second terminal members [figure 5] with screws [76] connectable to conductors [22] in an electrical wiring system through duct [24];

- a mounting trap [33] secured a rear cover of the base [figure 4] to a junction box [10];

- a removable electrical device is in form of a receptacle [36, figure 1] or a switch [38, figure 1] having a plurality of power contacts [36a or 38a] and a ground contact [38b] extending through a rear cover of the switch [figures 1 and 5], wherein the power contacts releasably connected to the first terminal members; and

- the base unit [30, figure 1] having a receiving channel [not labeled, see attachment], and a bottom of the removable electrical device [36, figure 1] adapted to nestle within the receiving channel of the base unit.

Castellano discloses the instant claimed invention except for the mounting trap has at least one ground terminal connection extends into the base unit for connecting with the ground contact of the switch and the mounting trap is secured to the external surface of the rear cover.

Art Unit: 2839

Osterbrock et al. discloses an electrical wiring device with ground trap shorting protection [figure 1] comprising a mounting trap [30] having a ground terminal connection [34] extending through a hole formed in a rear wall of a base unit [10] for connecting with a mating ground contact, and the mounting trap is secured to the external surface of the rear cover [figures 1-2].

It would have been obvious to one having ordinary skill in the art at the time invention was made to modify the mounting trap of Castellano to provide the ground trap shorting protection as taught by Osterbrock et al. for the purpose of preventing the possibility of an electrical shorting [column 1, lines 23-38] and facilitating the assembly.

5. Claims 40, 47 and 53-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Castellano and Osterbrock et al. and further in view of Marcou et al. (US 5,594,398).

Castellano and Osterbrock et al. disclose the instant claimed invention except for the removable electrical device is a circuit interruption device.

Marcou et al. clearly shows all limitations applicant claimed for a GFCI device including a reset means [10, figures 1 and 11].

It would have been obvious to one having ordinary skill in the art at the time invention was made to modify the switch of Castellano to provide the GFCI device as taught by Marcou et al. for the purpose of facilitating resetting the electrical connection between input and output conductive paths, as is well known in the art of the electrical connectors and switches.

6. Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Castellano and Osterbrock et al. and further in view of Heimann (US 4,842,551).

Art Unit: 2839

Castellano and Osterbrock et al. disclose the instant claimed invention except for the base unit is configured to fit within a multiple gang junction box in the electrical wiring system.

The use of a multiple gang junction box used in the electrical wiring system is well known in the art of electrical connectors.

Heimann discloses a base unit is configured to fit within a multiple gang junction box in the electrical wiring system [figure 1].

It would have been obvious to one having ordinary skill in the art at the time invention was made to modify the base of Castellano to provide the multiple gang junction box as taught by Heimann for the purpose of receiving multiple modular electrical components.

#### ***Response to Arguments***

7. Applicant's arguments filed 7/14/03 have been fully considered but they are not persuasive.

Applicant argues that the art of record neither discloses nor suggests the structure of a removable electrical device adapted to nestle within a receiving channel of a base unit in combination with a base unit having a channel for receiving an electrical device. Examiner respectfully disagrees. Castellano discloses a base unit [30, figure 1] having a receiving channel [not labeled, see attachment], and a removable electrical device [36, figure 1] adapted to nestle within the receiving channel of the base unit, as applicant newly claimed.

Art Unit: 2839

***Conclusion***


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son Nguyen whose telephone number is (703) 308-8745.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild, can be reach on (703) 308-2710. The fax phone number for this Group is (703) 308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1782.

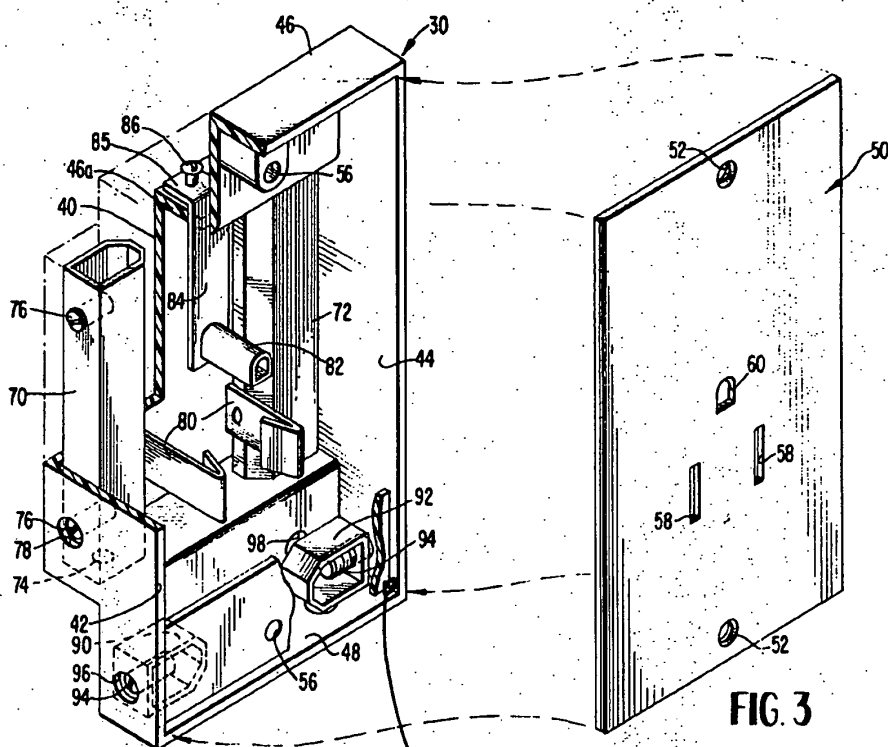
sn

August 9, 2003

  
**SON V. NGUYEN**  
**PATENT EXAMINER**

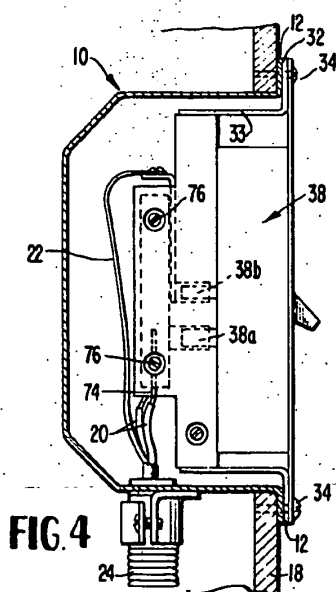
3,609,647

3,609,647

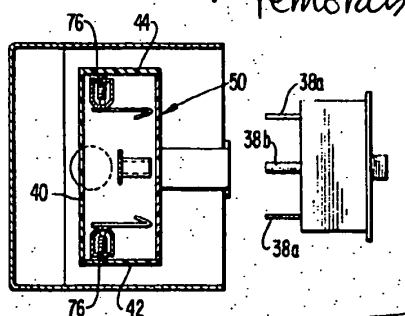


**FIG. 3**

a receiving channel for holding a bottom of a removable electrical device.



**FIG. 4**



**FIG. 5**

INVENTOR  
ANGELO CASTELLANO

BY

*Brown, Schuyler & Beveridge*  
ATTORNEYS

ATTACHMENT